

[TO BE COMPLETED ON OFFEROR'S LETTERHEAD]

Date

Mr. Seth Johnson
Procurement Manager
Employee Benefits Division – Room 1106
NYS Department of Civil Service
Albany, NY 12239

**RE: Request for Proposals #RX-2017-1 entitled:
“Pharmacy Benefit Services for The Empire Plan,
Excelsior Plan, Student Employee Health Plan, and New
York State Insurance Fund Prescription Drug Programs,”
Firm Offer to the State of New York**

[INSERT OFFEROR NAME] hereby submits this firm and binding offer to the State of New York in response to the Department’s Request for Proposals #RX-2017-1, entitled “**Pharmacy Benefit Services for The Empire Plan, Excelsior Plan, Student Employee Health Plan, and New York State Insurance Fund Prescription Drug Programs**” (RFP). The Proposal hereby submitted meets or exceeds all terms, conditions, and requirements set forth in the above-referenced RFP and in the manner set forth in this RFP.

[INSERT OFFEROR NAME] accepts the terms and conditions as set forth in RFP, Section VII and Appendices A, B, C, and D and agrees to satisfy the comprehensive programmatic duties and responsibilities outlined in this RFP in the manner set forth in this RFP.

[INSERT OFFEROR NAME] agrees to execute a contractual agreement composed substantially of the terms and conditions set forth in the draft contract included in the RFP, and accepts as non-negotiable the terms and conditions set forth in Appendices A, B (DCS), B (NYSIF), C (DCS), C (NYSIF), C-1, D, D-1 (DCS), D-1 (NYSIF), and D-2 to the draft contract.

[INSERT OFFEROR NAME] further agrees, if selected as a result of the RFP, to comply with 1) the provisions of Tax Law Section 5-a, Certification Regarding Sales and Compensating Use Tax; and 2) the Workers’ Compensation Law as set forth in Section II.B.7 of the RFP.

This formal offer will remain firm and non-revocable for a minimum period of 365 days from the Proposal Due Date as set forth in the RFP. In the event that a contract is not approved by the NYS Comptroller within the 365 day period, this offer shall remain firm and binding beyond the 365 day period and until a contract is approved by the NYS Comptroller, unless [INSERT OFFEROR NAME] delivers to the Department of Civil Service written notice of withdrawal of its Proposal.

[INSERT OFFEROR NAME]’s complete offer is set forth as follows:

Administrative Proposal: Total of eighteen (18) hard copy volumes [four (4) original and fourteen (14) copies] and two (2) electronic copies on CD.

Technical Proposal: Total of eighteen (18) hard copy volumes [four (4) original and fourteen (14) copies] and two (2) electronic copies on CD.

Cost Proposal: Total of eighteen (18) hard copy volumes [four (4) original and fourteen (14) copies] and two (2) electronic copies on CD.

Exhibit I.S - Formal Offer Letter

The undersigned affirms and swears s/he has the legal authority and capacity to sign and make this offer on behalf of, **[INSERT OFFEROR NAME]** and possesses the legal authority and capacity to act on behalf of **[INSERT OFFEROR NAME]** to execute a contract with the State of New York.

The undersigned affirms and swears as to the truth and veracity of all documents included in this offer.

Date: _____

[INSERT OFFEROR NAME]

By: _____
(signature)

(name)

(title)

(phone number)

(email address)

CORPORATE OR PARTNERSHIP ACKNOWLEDGMENT

STATE OF _____ }
: **SS.:**
COUNTY OF _____ }

On the ____ day of _____ in the year 2017, before me personally appeared:
_____, known to me to be
the person who executed the foregoing instrument, who, being duly sworn by me did depose
and say that _he resides at

_____, Town of _____,
County of _____, State of _____ ; and further that:

[Check One]

(**If a corporation**): _he is the _____ of
_____, the corporation described in said
instrument; that, by authority of the Board of Directors of said corporation, _he is
authorized to execute the foregoing instrument on behalf of the corporation for purposes set
forth therein; and that, pursuant to that authority, _he executed the foregoing instrument in
the name of and on behalf of said corporation as the act and deed of said corporation.

(**If a partnership**): _he is the _____ of
_____, the partnership described in said
instrument; that, by the terms of said partnership, _he is authorized to execute the
foregoing instrument on behalf of the partnership for the purposes set forth therein; and
that, pursuant to that authority, _he executed the foregoing instrument in the name and on
behalf of said partnership as the act and deed of said partnership.

Notary Public